III.—PRIVILEGE MATTERS.

(1) ADVANCE ANNOUNCEMENT TO THE PRESS BY A D.M.K. MEMBER *re.* NO-CONFIDENCE MOTION.

MR. SPEAKER : The hon. Member Sri M. S. Selvarajan has given notice of a matter of privilege against Mr. A. P. Dharmalingam for giving a news item to the Press which has been reported in the 'Dinamalar' that the D. M. K. Party is going to bring forth a no-confidence motion. This very fact was mentioned on the first day of this sitting itself by the Hon. Chief Minister as well as by the hon. Leader of the Opposition. I think the hon. Member was present on that day. I do not think this is a matter of privilege. Therefore I disallow it.

SRI M. S. SELVARAJAN : Sir, I have something else to say apart from that. I plead that the Hon. Speaker may allow me to have my say in the matter.

MR. SPEAKER : No, it is not necessary.

(2) DELAY IN INTIMATION OF ARREST OF A MEMBER.

MR. SPEAKER : The hon. Member, Sri M. Kalyanasundaram raised a matter of privilege regarding his arrest on 3rd July 1966 and detention in the Police Station from 9-00 a.m. to 2-00 p.m., in that the fact was not reported to the Speaker immediately as required by Rule 245 of the Madras Assembly Rules. It is admitted by the Superintendent of Police, Tiruchirappalli, that the hon. Member was secured under Section 151 of the Criminal Procedure Code, as he had a design to commit cognizable offences. But this matter was reported to the Speaker by a communication, dated 16th July 1966 by the Superintendent of Police. There is no doubt that there was a long delay to report the matter according to the Rules. Apparently there cannot be any valid reason for such a delay. I strongly disapprove of the conduct of the Police in treating these matters so lightly and I like to administer a warning to the officers concerned in the matter. I want to impress on the Government to give necessary instructions to their officers not to repeat such violations of the rules.

Other matters raised in the notice regarding the propriety of the arrest or treatment, etc., cannot be discussed under the head of privilege.

Under such circumstances, I hold that it is not necessary to refer the matter to the Committee of Privileges.

THE HON. SRI M. BHAKTAVATSALAM : Sir, I would like to submit that the Inspector-General of Police who met me this morning has mentioned to me that very strict instructions have been issued to all the officers to take prompt action in the case of the arrest of legislators and that he was looking into the matter of delay relating to the intimation of the arrest of the hon. Member, Sri Kalyanasundaram, at Tiruchirappalli. He has further told me

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that if it is necessary, he would take disciplinary action against the officer concerned for any default that may be found in the course of the enquiry.

(3) Chief Minister's announcement of the date of meeting of the Assembly before publication of Governor's notification.

MR. SPEAKER : The hon. Member, Sri T. P. Alagamuthu, has given notice under Rule 184 of the Assembly Rules, for permission to raise a matter of privilege, viz., advance announcement made to the Press by the Hon. Chief Minister about the date of the meeting of the Legislature before the publication of the Governor's notification summoning the Legislature. The hon. Member has stated that it is the privilege of a Member of the House to be informed in the first instance of the date of the meeting of the Legislature. According to the Constitution, the Governor is to summon the Assembly, at the time and date fixed by him. Of course, the Government, in consultation with the Speaker, used to fix a date, and leave it to the Governor for notifying it. Usually, the Governor's notification is published in the *Fort St. George Gazette* and individual intimation is sent to the Members by the Secretary to the Legislative Assembly Department. So, evidently it is not a matter which is informed to the Member or to the House in the first instance, as in the case of important business which is brought before the House for transaction such as Budget, No-Confidence Motion or any Policy of the Government, and as such, no question of privilege arises.

The hon. Member, Sri Alagamuthu, also questions the propriety of the advance information on the ground that the Governor has got the privilege and duty to do the same. The Chief Minister, in his reply, contends that the date and time was fixed far in advance and it was given out for the benefit of the Members. This is a moot point but not a point for privilege. But, my opinion is, apart from the propriety or impropriety of the act of the Chief Minister in giving advance information, it is always better to leave all conventions to be carried through respective machineries according to normal procedure.

* **கனம் திரு. எம். பக்தவத்சலம்** : கனம் சபாநாயகர் அவர்களே; நான் ஒரு விளக்கம் கோருகிறேன். நேற்று இதைப்பற்றி விளக்கினேன். இந்தச் செய்தி கெஜட்டில் வருகிறது. உறுப்பினர்களுக்குத் தனித்தனியாகவும் அனுப்பப்படுகிறது. எத்தனை நாட்களுக்கு, முன் அறிவிப்புக் கொடுக்க வேண்டுமோ அத்தனை நாட்களுக்கு முன், அறிவிக்கப்படுகிறது. இப்படி எல்லா வகையிலும் உறுப்பினர்களுக்கு அறிவிக்கப்படுவதையொட்டித் தான்—நான் மெம்பர்களுக்குத் தெரிவிப்பதற்காகத்தான், கூறினேன். அது வேண்டாம் என்று கூறினால்—கெஜட் மூலம் அறிவிக்கப்படுகிறபோது தெரிந்துகொண்டால் போதும், அவர்களுக்கே எழுதித் தெரிந்துகொள்கிறபோது தெரிந்துகொண்டால்